

REMARKS

Claims 16 and 20 have been amended. Claims 1-15, 17 and 21-23 are allowed. Claims 1-17 and 20-23 are pending. Reconsideration of claims 16 and 20 is respectfully requested.

I. REJECTION OF CLAIM 20 UNDER § 112:

Claim 20 has been amended to overcome the rejection. Therefore, it is respectfully submitted that the rejection is overcome.

II. REJECTION OF CLAIMS 16 AND 20 UNDER 35 U.S.C. § 103 (a) AS BEING UNPATENTABLE OVER TAKAHASHI (US PATENT NO. 6,282,197) IN VIEW OF THE ADMITTED PRIOR ART (HEREINAFTER "APA"):

Claim 16 recites "sending a plurality of request messages from the subscriber to the switching system, in order from large bandwidth to small bandwidth, to set various bandwidths which correspond to the multiple paths required to provide the application service".

At pages 2-3 of the Office Action, the Examiner asserts that Takahashi discloses "sending a plurality of request messages from the subscriber...in order from large bandwidth to small bandwidth" at column 5, lines 9-10 of Takahashi.

Instead, column 5, lines 9-10 of Takahashi discloses a switching apparatus so that virtual path connections (VPCs) are selected sequentially from those having larger free bandwidth. That is, Takahashi fails to disclose "sending a plurality of request messages from the subscriber to the switching system, in order from large bandwidth to small bandwidth" as recited in claim 16.

Further, at page 3 of the Office Action, the Examiner admits that Takahashi fails to disclose "said plurality of messages being setup request messages" as in claim 16 or "a channel type corresponds to a type of service provided by a channel" as in claim 20. However, the Examiner asserts that the APA discloses these features.

Although the APA discloses sending a plurality of request messages to the switching system, the APA fails to disclose "sending a plurality of request messages...in order from large bandwidth to small bandwidth" as recited in claim 16.

Therefore, neither Takahashi nor the APA, individually or combined, disclose all of the features recited in claim 16 mentioned above. Therefore, the combination of Takahashi and the APA fails to establish a prima facie case of obviousness over the present invention.

Therefore, it is respectfully submitted that the rejection is overcome.

III. CONCLUSION:

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore, defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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